



Entered on Docket
September 06, 2011

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

**USA COMMERCIAL MORTGAGE
COMPANY,**

Debtor.

Case No. BK-S-06-10725-LBR
Chapter 11

**Order Sustaining Seventh Omnibus
Objection Of USACM Trust To Proofs Of
Claim Based In Whole or In Part Upon
Investment In The Placer I Loan; Except
Donald and Jaylyle Redmon Claim, and
Notice of Continued hearing re Donald and
Jaylyle Redmon Claim Only**

Hearing Date: July 26, 2011
Hearing Time: 1:30 p.m.

The Court having considered the "Seventh Omnibus Objection Of USACM Trust To Proofs Of Claim Based In Whole or In Part Upon Investment in The Placer I Loan." ("Placer I Loan") [DE 8446] (the "Objection"); the Court having heard the Objection on July 26, 2011; appropriate notice of the Objection having been given; an informal response having been received from Donald E. and Jaylyle Redmon; no other responses to

1 the Objection having been filed; the Court noting on the record that the disallowance of the
2 Claims listed on Exhibit A does not affect the direct lenders' right to repayment by the
3 borrower or from the collateral securing the Placer I Loan; and good cause appearing:

4 **IT IS ORDERED** that:

- 5 1. The Objection [DE 8446] is sustained; and
- 6 2. The claims listed on **Exhibit** A attached, except claim No. 10725-00473
7 filed on behalf of Donald E. Redmon and Jaylyle Redmon, are disallowed to the extent
8 those claims are based upon an investment in the Placer I Loan.
- 9 3. Claim No. 10725-00473 filed by Donald E. Redmon and Jaylyle Redmon is
10 continued for hearing on August 30, 2011 at 10:30 a.m. and notice is hereby given.

11
12 PREPARED AND RESPECTFULLY SUBMITTED BY:

13 **LEWIS AND ROCA LLP**

14
15 By /s/ John Hinderaker (AZ #018024)

16 Robert M. Charles, Jr.

17 John Hinderaker (*pro hac vice*)

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20 *Attorneys for USACM Liquidating Trust*
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LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

_____ This Court has waived the requirement set forth in LR 9021(b)(1).

_____ No party appeared at the hearing or filed an objection to the motion.

XXX I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: _____

_____ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: <u>Jaylyle Redmon</u>	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input checked="" type="checkbox"/> failed to respond to the document

s/ _____
 Jaylyle Redmond, Trustee and Surviving Spouse
 Donald E. Redmon and Jaylyle Redmond

Submitted by:
 LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)
 Attorneys for USACM Liquidating Trust

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**Placer Vineyards I
Multiple Loans**

Claim	Date Claim Was Filed	Name	Address	Total Claim Amount	Amount of Claim That Relates to an Investment In the Placer Vineyards I
10725-02063	1/11/2007	Dery, James D & Ann R	Husband & Wife 10 Longmeadow Ln Beachwood, OH 44122	2,793,347.72	75,000.00
10725-00473	10/6/2006	Donald E. & Jaylyle Redmon Family Trust Dtd 10/31/95	Donald E. & Jaylyle Redmon Ttees 51 Samle Ln Mountain Home, AR 72653-6333	161,662.50	50,520.83
10726-00067	1/12/2007	Doucet, D. Joseph	Trustee Of Doucet Trust 6124 Greenbrook Drive Reno, NV 89511-8528	502,335.71	Unknown
10725-02233	1/12/2007	Eddie Mayo & Jocelyne Helzer Jt Ten	115 South Deer Run Rd Carson City, NV 89701	511,906.46	50,000.00
10725-02282	1/12/2007	Elan Reddell Revocable Trust Dtd 8/4/03	Elan Reddell Trustee 6770 Hawaii Kai Dr #1006 Honolulu, HI 96825	659,407.30	100,000.00
10725-00900	11/1/2006	Erickson, Eric T And Dolores Y	1455 Superior Ave #342 Newport Beach, CA 92663-6125	390,000.00	100,000.00
10725-02382	1/16/2007	Essaff Family Trust Dtd 6/18/02	Robert & Cindy H Essaff Ttees 2860 Heybourne Rd Minden, NV 89423	3,198,368.02	200,000.00
10725-00500	10/9/2006	Everett H Johnston Family Trust Dtd 1/24/90	C/O Everett H Johnston Trustee Po Box 3605 Incline Village, NV 89450-3605	668,305.12	100,000.00
10725-02467	6/1/2007	Foxcroft Living Trust Dtd 1/10/02	Fred J & Roberta Foxcroft Ttees Po Box 362 Carnelian Bay, CA 96140-0362	553,778.99	100,000.00
10725-02404	1/17/2007	Freedus Jt Ten, Eric B & Linda P	5008 Nighthawk Way Oceanside, CA 92056	608,838.00	50,000.00

EXHIBIT A